

District Judge Jamal N. Whitehead

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

QI SONG,

Plaintiff,

v.

DANIELLE LEHMAN,

Defendant.

No. 2:24-cv-429-JNW

STIPULATED MOTION TO HOLD  
CASE IN ABEYANCE AND  
~~[PROPOSED]~~ ORDER

Noted for Consideration:  
June 11, 2024

Plaintiff and Defendants, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings until November 8, 2024. Plaintiff brought this litigation pursuant to the Administrative Procedure Act seeking an order from this Court compelling the U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate her Form I-589, Application for Asylum and for Withholding of Removal. The parties are currently working towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until November 8, 2024.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for

1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.  
2 P. 1.

3 With additional time, this case may be resolved without the need of further judicial  
4 intervention. USCIS has scheduled Plaintiff’s asylum interview for July 11, 2024. Plaintiff agrees  
5 to submit all supplemental documents and evidence, if any, to USCIS seven to ten days prior to  
6 the interview date. Plaintiff recognizes that failure to submit documents prior to the interview may  
7 require the interview to be rescheduled and the adjudication delayed. If needed, Plaintiff will bring  
8 an interpreter to the interview, otherwise the interview will need to be rescheduled and the  
9 adjudication delayed.

10 USCIS agrees to work diligently towards completing the adjudication within 120 days after  
11 the interview, absent unforeseen or exceptional circumstances that would require additional time  
12 for adjudication. If Plaintiff’s asylum application is not adjudicated within that time, USCIS will  
13 submit a status report to this Court. Once the application is adjudicated, Plaintiff will dismiss the  
14 case with each party to bear their own litigation costs and attorneys’ fees. Accordingly, the parties  
15 request this abeyance to allow USCIS to conduct Plaintiff’s asylum interview and then process her  
16 asylum application.

17 As additional time is necessary for this to occur, the parties request that the Court hold the  
18 case in abeyance until November 8, 2024. The parties will submit a joint status report on or before  
19 November 8, 2024.

1 Dated: June 11, 2024

2 Respectfully submitted,

3 TESSA M. GORMAN  
4 United States Attorney

5 s/Michelle R. Lambert

6 MICHELLE R. LAMBERT, NYS #4666657  
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12 *Attorneys for Defendants*

13 ***I certify that this memorandum contains 383***  
14 ***words, in compliance with the Local Civil***  
15 ***Rules.***

16 

17 QI SONG  
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19 Des Moines, Washington 98189  
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22 *Pro Se Plaintiff*

CERTIFICATE OF SERVICE

I hereby certify that I am an employee in the Office of the United States Attorney for the Western District of Washington and of such age and discretion as to be competent to serve papers.

I further certify that on today's date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to the following CM/ECF participant(s):

- 0 -

I further certify that on today's date, I arranged for service of the foregoing on the following non-CM/ECF participant, via Certified Mail with return receipt, postage prepaid, addressed as follows:

QI SONG  
22615 28th Avenue S  
Des Moines, Washington 98189

DATED this 11th day of June, 2024.

s/ Stephanie Huerta-Ramirez  
STEPHANIE HUERTA-RAMIREZ, Legal Assistant  
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**~~PROPOSED~~ ORDER**

The case is held in abeyance until November 8, 2024. The parties shall submit a joint status report on or before November 8, 2024. It is so **ORDERED**.

DATED this 11th day of June, 2024.



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JAMAL N. WHITEHEAD  
United States District Judge